

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

PUBLIC SERVICES - Commercial Taxes Department - Disciplinary case - Inquiry against Sri K.Nanda Kishore, formerly Junior Assistant, Office of the ACTO, Kama Reddy, Nizamabad district - Demanded and accepted bribe - Trapped by ACB - Enquiry by Tribunal for Disciplinary Proceedings- Inquiry report in TEC No.6 of 2007 - Furnishing the report of TDP to the Charged Officer - Explanation Submitted- Penalty of withholding of five increments with cumulative effect - Imposed - Orders - Issued.

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**REVENUE (VIG.I) DEPARTMENT**

**G.O.Ms.No:- 1666**

**Dated:27-08-2011.**  
**Read the following:**

1. From the DG, ACB, Letter C.No.1/RCT-NZB/2005-S4, Dated 30.7.2005.
2. From Sri K.Nanda Kishore, formerly Jr. Assistant, Office of the ACTO, representation dt: 2.10.2005.
3. Govt. Memo No. 8579/ Vig. I(2)/ 2005-2, Revenue (Vig.I) Department, Dated 1.2.2006.
4. From the Secretary, T.D.P., Letter Dis. No. S/3/2010, Dated 21.1.2010 in TEC No. 6 of 2007.
5. Govt. Memo No. 8579/ Vig. I(2)/ 2005-7 Dt: 6.3.2010 of Rev. (Vig.I) Dept.,
6. From SriK.Nanda Kishore, formerly Jr. Assistant, Office of the ACTO, representation dated: 30.6.2010 & 15.3.2011.

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**O R D E R:**

On the allegation of corruption against Sri Karanam Nanda Kishore, Junior Assistant, O/o Assistant Commercial Tax Officer (I) Kama Reddy, Nizamabad District, the appropriate investigating agency has registered a case in Crime No.1/ACB-NZB/2005 under section 7 of the Prevention of Corruption Act, 1988 and after investigation in the reference 1<sup>st</sup> read above, the Director General, Anti-Corruption Bureau has furnished final report along with his recommendations.

2. In the reference 2<sup>nd</sup> read above, Sri K.Nanda Kishore, formerly Junior Assistant, Office of the Assistant Commercial Tax Officer, has submitted representation stating that he was falsely implicated in the trap case and requested to drop all further proceedings against him. Government, after careful examination of the matter, placed Sri K.Nanda Kishore, formerly Junior Assistant, Office of the Assistant Commercial Tax Officer, Kama Reddy, Nizamabad district on his defence before the Tribunal for Disciplinary Proceedings and the Tribunal for Disciplinary Proceedings was requested to inquire into the allegation of corruption and misconduct and submit its report, vide reference 3<sup>rd</sup> read above.

3. In the reference 4<sup>th</sup> read above, the Tribunal for Disciplinary Proceedings, after conducting regular enquiry, submitted its report concluding that the charge No.I is fully established and charge No.II is partly established against Sri K.Nanda Kishore, formerly Junior Assistant, Office of the Assistant Commercial Tax Officer, Kama Reddy, Nizamabad district.

4. Government, after examination of the enquiry report of Tribunal for Disciplinary Proceedings communicated the copy of the Inquiry report to Sri K.Nanda Kishore, formerly Junior Assistant, Office of the Assistant Commercial Tax Officer, Kama Reddy, Nizamabad district with a direction to submit his representation on the findings of Tribunal for Disciplinary Proceedings, vide reference 5<sup>th</sup> read above.

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5. In the reference 6<sup>th</sup> read above, Sri K.Nanda Kishore, formerly Junior Assistant, Office of the Assistant Commercial Tax Officer, Kama Reddy, Nizamabad district has stated that the Tribunal for Disciplinary Proceedings has not appreciated the evidence on record in true perspective and erroneously held that the charge is proved contrary to the documentary evidence. He has stated that as per the legal opinions, charge cannot be held proved on conjectures and surmises in the absence of specific clinching evidence and that a charge can either be held proved on the basis of evidence or not proved and there is no provision to hold the charge as partly proved. He has further stated that when, for going to Kamareddy he was standing at the Nizamabad bus stand the complainant came and returned the borrowed amount to him and that it was not a bribe. He also stated that he never demanded any bribe. Hence, he has requested to drop further action, by taking a lenient view in the matter.

6. Government have examined the report of Tribunal for Disciplinary Proceedings in TEC No. 6/2007 and also the representation submitted by the delinquent officer and observe that the representation of Sri K.Nanda Kishore, formerly Junior Assistant, Office of the Assistant Commercial Tax Officer, Kama Reddy, Nizamabad District presents scope for some benefit of doubt. The cite of the reported incident i.e., a public bus stand where the bribe was reportedly demanded and given appears a little strange. Ordinarily no body would choose such a place to accept a bribe as there is every livelihood of the same being noticed. In any case the individual should not have accepted money from some one with whom he was having official transaction. It was an act of gross indiscretion. Therefore, Government have decided to impose a penalty of withholding of five increments with cumulative effect against the individual; keeping in view the findings of Tribunal for Disciplinary Proceedings.

7. Accordingly, and in exercise of the powers conferred under clause (vi) of rule 9 read with sub-rule (1) of rule 20 of A.P.Civil Services (Classification, Control and Appeal) Rules, 1991 and as per Rule 7 of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989, the Government hereby impose the penalty of withholding of 5 (five) increments with cumulative effect on Sri K.Nanda Kishore, formerly Junior Assistant, O/o Assistant Commercial Tax Officer, Kama Reddy, Nizamabad district for the charge held proved.

8. The Commissioner Commercial Taxes, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The individual **through** the Commissioner, C.T, AP, Hyderabad.

The Commissioner, CT, AP, Hyderabad

(with a request to serve on the C.O and to return the served copy to the Government).

Copy to:

The Secretary, Tribunal for Disciplinary Proceedings, A.P., Hyderabad.

The Director General, Anti- Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner,

Andhra Pradesh Vigilance Commission, Hyderabad.

PS to Principal Secretary to Government, Revenue Department.

The Revenue (CT- I) Department.

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// FORWARDED BY ORDER//

SECTION OFFICER